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Date: Thu, Jul 29, 2021 at 3:28 PM
Subject: Process for handling matters that are with Committee.
To: BPKTCA Secretary <secretarybpkca@gmail.com>

Hi Luci,

Below is an outline of what I intended the "Process" to be. I have tried to explain it sufficiently so that I will only have to speak to it briefly, answer any question of the Committee & be on my way. See you 6.30pm on the 4th.

HISTORY

At the G.M. of 11.7.21, the following Motion was carried : "At the next G.M. we determine a process for the handling of matters that are with the Committee so the handling of those matters is in accordance with the Constitution". As a rider to that resolution, it was requested that I provide a framework document to aid in the formulation of that "Process". In the drafting of that framework it became apparent that it raised as many questions as it answered & it was for that reason that I requested an audience with the Committee so that I could present a simple framework & speak briefly to it. I thank the Committee for granting me that audience.

BRIEF DETAILS OF THE "PROCESS" FOR HANDLING MATTERS BEFORE THE COMMITTEE

I have always been of the belief that the primary function of the Committee is to manage the affairs of the Association between G.M's, and not to make those decisions which are the province of the Members at a G.M. This is particularly so when the matter before the Committee is a CCB matter. It is the Association, not the Committee of the Association, which has been appointed as the Community Consultative Body to act on behalf of the community as a whole, including Members of the Association. Any decisions of the Association, acting as a CCB, must therefore come from the members of the community at large, including Members of the Association.

The structure of the "Process" that I had in mind is quite simple. It merely provides for the Committee to install "hold points" at salient points in the handling of matters which are before the Committee so as to allow for input from the community & Association Members &, where required by the Constitution, for the Members & community to pass a resolution to allow the matter to go forward. In formulating the Motion to the G.M. of 11.7.21, I was mindful of the outcome, to date, in the skate park matter as, to my mind, it represents a perfect example of what the "Process is intended to address.

The prelude to Cl. 16 of our Constitution states "Subject to the Act, the Regulation & this constitution **and to any resolution passed by the Association in general meeting, the committee:.....**" There follows four sub-clauses, each of which are bound by the wording of that prelude. In the case of the skate park, there was only one resolution, passed by the Association on the 19.7.19, before the Bawley Point location was rejected by Members on 28.2.21. The resolution of 19.7.19 was "to further investigate the possibility of the community gaining a skate park for the area". That resolution did not authorise the

Committee to do anything other than “investigate the possibility”. It certainly did not extend to the selection of a particular site or sites. nor did it extend to the rejection of any site. those decisions were to be properly taken by the community & Members at a G.M.

I, & many other Members assumed that the Committee would not act above its authorisation & that the selection process, or at least the ranking of possible sites, would be brought back to the community & Members for their input & resolution before the matter progressed to the next stage. As things stand, we have a CCB proposal before Council without an agreed site, without agreed concept plans & without costings. If Council nominates a site which is unacceptable to the community, we are back at square one having wasted two years. It is a future repetition of that outcome which the “Process” is intended to prevent.

Regards,
John